

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X
YURMAN STUDIO, INC. and YURMAN
DESIGN, INC.,

Plaintiffs/Counter-Defendants,

- against -

ELENA CASTANEDA and EJEWELER LLC
d/b/a OVERSTOCKJEWELER.COM,

Defendants/Counter-Plaintiffs.
----- X

Civil Action No. 07-1241 (SAS)(HP)
(Action No. 1)

----- X
----- X
CARTIER, a division of RICHEMONT NORTH
AMERICA, INC., CARTIER INTERNATIONAL,
N.V., CARTIER CREATION STUDIO, S.A., VAN
CLEEF & ARPELS S.A., VAN CLEEF &
ARPELS, INC., VAN CLEEF & ARPELS
DISTRIBUTION, INC., GUCCI AMERICA, INC.,
and BULGARI S.p.A.,

Plaintiffs,

- against -

ELENA CASTANEDA and EJEWELER LLC
d/b/a OVERSTOCKJEWELER.COM,

Defendants.
----- X

Civil Action No. 07-7862 (SAS)(HP)
(Action No. 2)

NOTICE OF MOTION FOR PARTIAL SUMMARY JUDGMENT

PLEASE TAKE NOTICE that Plaintiffs Yurman Studio, Inc., Yurman Design, Inc.
(collectively "Yurman"), Cartier, a division of Richemont North America, Inc., Cartier
International, N.V., Cartier Creation Studio, S.A., Gucci America, Inc. and Bulgari S.p.A.
(collectively "Plaintiffs") hereby move, pursuant to Rule 56 of the Federal Rules of Civil

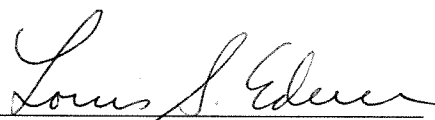
Procedure, before the Honorable Shira A. Scheindlin, United States District Judge, United States District Court, Southern District of New York, 500 Pearl Street, New York, for an order entering partial summary judgment with respect to all issues of liability and damages on their claims for willful counterfeiting of registered trademarks, and willful infringement of copyrighted designs and design patents. In addition, Yurman seeks summary judgment dismissing Defendants' counterclaim for cancellation of Yurman's copyrights based on fraud on the U.S. Copyright Office, and an award of full costs, including attorneys' fees, relating to the defense of such claim.

PLEASE TAKE FURTHER NOTICE that in support of said motion, Plaintiffs will rely upon the following served herewith:

- 1) Memorandum of Law in Support of Yurman Studio, Inc., Yurman Design, Inc., Cartier, a division of Richemont North America, Inc., Cartier International, N.V., Cartier Creation Studio, S.A., Gucci America, Inc., and Bulgari S.p.A.'s Motion for Partial Summary Judgment;
- 2) Local Civil Rule 56.1 Statement; and
- 3) Declarations of Louis S. Ederer, Esq., David Yurman, Bharat Dube, Esq., Jonathan Moss, Esq. and Costanzo Rapone, Esq.

Dated: New York, New York
June 13, 2008

ARNOLD & PORTER LLP

By: 
Louis S. Ederer
John Maltbie
Matthew T. Salzmann
399 Park Avenue
New York, New York 10022
Telephone: (212) 715-1000
Facsimile: (212) 715-1399

Attorneys for Plaintiffs